

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Daniel J. Rynne

v.

Civil No. 08-cv-00283-JL

New Hampshire State
Prison, Warden, et al.

O R D E R

At yesterday's telephone conference, the petitioner's counsel informed the court that the petitioner will proceed on each of the issues (numbered 1-4) identified in Judge Muirhead's October 21, 2008 order, that he will file a memorandum in response to the Warden's motion for summary judgment, and that he is aware of his obligations under Rule 11. The petitioner's brief is due on or before **June 28, 2010**.

The court requests that petitioner's counsel pay particular attention to the Warden's procedural default arguments as to claims 1 and 3. While the court has not prejudged the issue, those procedural default arguments appear to be colorable.

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: May 28, 2010

cc: Erland C.L. McLetchie, Esq.
Elizabeth C. Woodcock, Esq.